

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

FILED
JAMES BONINI
CLERK
2008 JUL 22 PM 2:06
U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

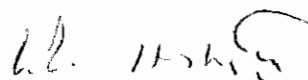
WILMA J. THOMPSON, :
 :
Plaintiff, :
 : Case No. 3:07CV0439
 :
vs. : District Judge Walter Herbert Rice
 : Magistrate Judge Sharon L. Ovington
GERMANTOWN CEMETERY, *et al.*, :
 :
Defendants. :
 :

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON JULY 3, 2008 (Doc. #18); GRANTING PLAINTIFF'S MOTION TO STRIKE (Doc. #7); GRANTING PLAINTIFF'S MOTION TO REMAND (Doc. #5); DIRECTING THE CLERK OF COURT TO REMAND THIS CAUSE TO THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY, OHIO; AND TERMINATING THIS CASE ON THE DOCKET OF THE COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #18), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on July 3, 2008 (Doc. #18) is **ADOPTED** in full; and
2. Plaintiff's Motion to Strike (Doc. #7) is **GRANTED**;

3. Plaintiff's Motion to Remand (Doc. #5) is GRANTED;
4. The Clerk of Court is directed to remand this cause to the Court of Common Pleas, Montgomery County, Ohio; and
5. This case is terminated on the docket of the Court.



Walter Herbert Rice
United States District Judge